# No. 78

# **MICHIGAN SENATE**

# DAILY CALENDAR

TUESDAY, SEPTEMBER 13, 2005 10:00 a.m.

# MOTIONS — 1 ——— SB **246** Sen. Emerson School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for. Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a. Motion to discharge Committee on Appropriations pending. SB 318 Sen. Basham Labor; hours and wages; minimum wage; increase. Amends sec. 4 of 1964 PA 154 (MCL 408.384). Motion to discharge Committee on Commerce and Labor pending. MESSAGES FROM THE HOUSE — 3 ——— SB **356** Sen. Patterson Public utilities; water utilities; on-site wastewater investor-owned utilities; create. Amends sec. 5301 of 1994 PA 451 (MCL 324.5301) & adds sec. 5309a. I.E. House, June 23, 2005. Returned from House with House substitute (H-1), Tuesday, June 28; laid over under the rules. Committee recommended I.E. \_\_\_\_ 4 \_\_\_\_\_ 419 Sen. Allen SB Public utilities; water utilities; private wastewater treatment facilities; allow public service commission to regulate. Amends sec. 6 of 1939 PA 3 (MCL 460.6). I.E. House, June 23, 2005. Returned from House with House substitute (H-3), Tuesday, June 28; laid over under the rules. Committee recommended I.E. \_\_ 5 \_\_\_\_

Recreation; athletics and sports; disclosure of certain convictions; require of persons coaching independent youth

Returned from House with House substitute (H-2),

Thursday, June 30; laid over under the rules.

130 Sen. Sanborn

Creates new act.

I.E. House, June 29, 2005.

Committee recommended I.E.

athletic teams.

SB

#### MESSAGES FROM THE HOUSE

6 —

SB 129 Sen. Sanborn

Criminal procedure; probation; individual convicted of child sexual assault; prohibit from residing within 1 mile of a school or entering upon school property as condition of probation, and provide minimum term of probation.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 2b to ch. XI.

I.E. House, August 31, 2005.

Returned from House with House substitute (H-3), Tuesday, September 6; laid over under the rules.

Committee recommended I.E.

SB 601 Sen. Van Woerkom

Education; school districts; criminal background checks on all school personnel; require and prohibit persons convicted of certain offenses from being allowed to work in schools.

Amends secs. 1230 & 1230a of 1976 PA 451 (MCL 380.1230 & 380.1230a) & adds sec. 1230c.

I.E. House, August 31, 2005.

Returned from House with House substitute (H-1), Tuesday, September 6; laid over under the rules.

Committee recommended I.E.

**SB** 606 Sen. Bishop

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of failing to report sex offender registration information to police agency; revise to reflect increased penalties.

Amends sec. 11b, ch. XVII of 1927 PA 175 (MCL 777.11b).

I.E. House, August 31, 2005.

Returned from House with amendments, Tuesday, September 6; laid over under the rules.

For House amendments, see Senate Journal No. 76, page 1211.

Committee recommended I.E.

9

**SB 607** Sen. Patterson

Criminal procedure; sex offender registration; penalties for failing to report certain sex offender registration information to police agency; revise, and require report upon vacating residence.

Amends secs. 5 & 9 of 1994 PA 295 (MCL 28.725 & 28.729).

I.E. House, August 31, 2005.

Returned from House with House substitute (H-2), Tuesday, September 6; laid over under the rules.

Committee recommended I.E.

## MESSAGES FROM THE HOUSE

\_\_\_\_ 10 \_\_\_\_\_

## **SB** 609 Sen. Kuipers

Education; teachers; teacher tenure act protection for teachers convicted of certain crimes; restrict.

Amends sec. 1, art. IV of 1937 (Ex Sess) PA 4 (MCL 38.101) & adds sec. 1a to art. IV.

I.E. House, August 31, 2005.

Returned from House with House substitute (H-2), Tuesday, September 6; laid over under the rules.

Committee recommended I.E.

## SB 611 Sen. Allen

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of school employee failing to report conviction for listed offense; enact.

Amends sec. 13p, ch. XVII of 1927 PA 175 (MCL 777.13p).

I.E. House, August 31, 2005.

Returned from House with House substitute (H-1), Tuesday, September 6; laid over under the rules.

Committee recommended I.E.

<del>\_\_\_\_ 12 \_\_\_\_\_</del>

## SB 615 Sen. Hardiman

Children; child care; criminal background checks for licensees, employees, and certain contract workers at child care centers and day care centers; require.

Amends sec. 5 of 1973 PA 116 (MCL 722.115) & adds sec. 5c.

I.E. House, August 31, 2005.

Returned from House with House substitute (H-2), Tuesday, September 6; laid over under the rules.

Committee recommended I.E.

\_\_\_\_ 13 \_\_\_\_

## SB 616 Sen. Cassis

Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of living, working, or loitering in a student safety zone; establish.

Amends sec. 11b, ch. XVII of 1927 PA 175 (MCL 777.11b).

I.E. House, September 7, 2005.

Returned from House with House substitute (H-1), Thursday, September 8; laid over under the rules.

Committee recommended I.E.

# THIRD READING OF BILLS

#### SB 102 Sen. Cropsey

Corrections; state facilities; Ionia maximum correctional facility; rename to Jack Welborn correctional facility.

Amends 1953 PA 232 (MCL 791.201 - 791.283) by adding sec. 20d.

Reported by Committee on Judiciary. Committee recommended I.E.

#### THIRD READING

\_\_\_\_ 15 \_\_\_\_\_

#### SB 337 Sen. Allen

Single business tax; credit; tax credit for historical buildings; create and limit issuance of.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.

Reported by Committee on Commerce and Labor. Senate substitute (S-2).

Committee recommended I.E.

## **HB** 4469 Rep. Gleason

Health; code; organ donor procedure for driver license applicants; clarify.

Amends sec. 10104 of 1978 PA 368 (MCL 333.10104).

I.E. House, April 13, 2005.

Reported by Committee on Transportation.

Committee recommended I.E.

\_\_\_\_ 17 \_\_\_\_\_

# HB 4470 Rep. LaJoy

Traffic control; driver license; heart logo on driver license; allow.

Amends secs. 303, 307 & 812 of 1949 PA 300 (MCL 257.303 et seq.).

I.E. House, April 13, 2005.

House substitute (H-2).

Reported by Committee on Transportation.

For Senate amendments, see Senate Journal No. 51, page 758.

**Committee recommended I.E.** 

## **HB 4108** Rep. Mayes

Torts; liability; immunity for farmers who use tank locks or dye additives to prevent anhydrous ammonia theft; provide for.

Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding secs. 2975 & 2976.

I.E. House, June 9, 2005.

House substitute (H-3).

Reported by Committee on Agriculture, Forestry and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

## **GENERAL ORDERS**

<del>----- 19 -------</del>

#### SB 233 Sen. Bishop

Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.

Referred to Committee of the Whole pursuant to MCL 24.245a.

## **GENERAL ORDERS**

\_\_\_\_ 20 \_\_\_\_\_

#### **SB** 196 Sen. Jelinek

Legislature; legislators; legislator to substitute teach in public schools without pay; allow.

Amends secs. 1230, 1230a & 1233 of 1976 PA 451 (MCL 380.1230 et seq.).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

## SB 334 Sen. Patterson

Public utilities; electric utilities; annual approval for a low income and energy efficiency factor regarding a distribution service; provide for.

Amends 1939 PA 3 (MCL 460.1 - 460.10cc) by adding sec. 10dd.

Reported by Committee on Technology and Energy. Senate substitute (S-3).

Committee recommended I.E.

\_\_\_\_ 22 \_\_\_\_\_

#### SB 448 Sen. Cropsey

Courts; judges; salary for judges; revise, establish concurrent jurisdiction for probate judge and district judge, and provide other amendments.

Amends secs. 226, 303d, 410, 810, 859, 871, 1105, 1701, 8322, 8344, 8507 & 8611 of 1961 PA 236 (MCL 600.226 et seq.); adds secs. 411 & 8808 & repeals secs. 557, 557a, 557b, 8555 & 9947 of 1961 PA 236 (MCL 600.557 et seq.).

Reported by Committee on Judiciary.

For Senate amendment, see Senate Journal No. 48, page 708.

Committee recommended I.E.

## HB

4481 Rep. Gaffney Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.

Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).

I.E. House, April 19, 2005.

House substitute (H-1).

Reported by Committee on Government Operations. Senate substitute (S-1).

Committee recommended I.E.

<del>\_\_\_\_ 24 \_\_\_\_</del>

#### 4082 Rep. Gleason HB

Traffic control; driver license; heart insignia on front of driver license of organ and tissue donors; provide for.

Amends sec. 310 of 1949 PA 300 (MCL 257.310).

I.E. House, April 13, 2005.

House substitute (H-4).

Reported by Committee on Appropriations.

Senate substitute (S-3).

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_ 25 \_\_\_\_\_

#### **SB** 43 Sen. Thomas

Income tax; credit; certain physicians with medical care practices in medically underserved areas; provide credit.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 272.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 26 \_\_\_\_\_

## SB 472 Sen. Kuipers

Energy; other; Michigan superconducting super collider commission; eliminate.

Amends sec. 11 of 1987 PA 26 (MCL 3.821).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

## SB 475 Sen. Hardiman

Higher education; research; state research fund feasibility review panel; eliminate.

Amends sec. 2 of 1982 PA 175 (MCL 125.1952).

Reported by Committee on Local, Urban and State

Committee recommended I.E.

\_\_\_\_ 28 \_\_\_\_\_

## SB 476 Sen. Sanborn

State; funds; Michigan strategic fund, research center fund advisory committee; eliminate.

Amends sec. 77 of 1984 PA 270 (MCL 125.2077).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

\_\_\_\_\_ 29 \_\_\_\_\_

#### SB 633 Sen. Cassis

Single business tax; rate; rate reduction; provide for.

Amends sec. 31 of 1975 PA 228 (MCL 208.31) & repeals enacting section 1 of 2002 PA 531 & enacting section 3 of 1999 PA 115.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

<del>\_\_\_\_</del> 30 <del>\_\_\_\_</del>

#### SB 634 Sen. Cassis

Single business tax; apportionment; sales factor; increase to 100%.

Amends sec. 45a of 1975 PA 228 (MCL 208.45a).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

## **GENERAL ORDERS**

— 31 ——

#### **HB** 4555 Rep. Pearce

Transportation; funds; certain portion of transportation funds earmarked for nonmotorized trails; provide for.

Amends sec. 10k of 1951 PA 51 (MCL 247.660k).

I.E. House, June 9, 2005.

House substitute (H-2).

Reported by Committee on Commerce and Labor.

Senate substitute (S-2).

Committee recommended I.E.

— 32 ——

## SB 566 Sen. Patterson

Property; conveyances; conveyances of certain state owned property in Plymouth township, Wayne county; provide for.

Creates land transfer act.

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 33 \_\_\_\_

## SB 664 Sen. George

Businesses; profit corporations; electronic filing of documents required under business corporation act; authorize.

Amends sec. 131 of 1972 PA 284 (MCL 450.1131).

Reported by Committee on Commerce and Labor.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 34 \_\_\_\_\_

#### SB 665 Sen. Goschka

Businesses; limited liability companies; electronic filing of documents required under Michigan limited liability company act; authorize.

Amends sec. 104 of 1993 PA 23 (MCL 450.4104).

Reported by Committee on Commerce and Labor. Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 35 \_\_\_\_\_

## SB 666 Sen. Sanborn

Businesses; nonprofit corporations; electronic filing of documents required under nonprofit corporation act; authorize.

Amends sec. 131 of 1982 PA 162 (MCL 450.2131).

Reported by Committee on Commerce and Labor. Senate substitute (S-1).

Committee recommended I.E.

## SB 667 Sen. Jelinek

Businesses; partnerships; electronic filing of documents required under Michigan revised uniform limited partnership act; authorize.

Amends sec. 206 of 1982 PA 213 (MCL 449.1206).

Reported by Committee on Commerce and Labor. Senate substitute (S-1).

Committee recommended I.E.

#### **COMMITTEE REPORTS**

#### SB 502 Sen. Birkholz

Health; code; dental hygienists exemption from required continuing education in pain and symptom management; eliminate.

Amends sec. 16204 of 1978 PA 368 (MCL 333.16204).

Reported by Committee on Health Policy.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 38 \_\_\_\_

# HB 4996 Rep. Vander Veen

State agencies (existing); community health; designation as a grantee health agency to provide services for dentally underserved populations in this state; revise requirements.

Amends sec. 16625 of 1978 PA 368 (MCL 333.16625).

I.E. House, June 29, 2005.

Reported by Committee on Health Policy.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 39 \_\_\_\_\_

## HB 4484 Rep. Wenke

Mobile homes; title; enforcement procedures of a mortgage lien on a manufactured home; revise.

Amends sec. 30i of 1987 PA 96 (MCL 125.2330i).

I.E. House, May 19, 2005.

For House amendments, see House Journal No. 43, page 640.

Reported by Committee on Banking and Financial Institutions.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

40 —

# HB 4143 Rep. Moolenaar

Education; students; definition of "eligible student"; revise in postsecondary enrollment options act.

Amends sec. 3 of 1996 PA 160 (MCL 388.513).

I.E. House, April 12, 2005.

Reported by Committee on Education.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

41

## HB 4144 Rep. Moolenaar

Education; students; definition of "eligible student"; clarify in career and technical preparation act.

Amends sec. 3 of 2000 PA 258 (MCL 388.1903).

I.E. House, April 12, 2005.

Reported by Committee on Education.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

#### — 42 —

#### SB 719 Sen. Allen

Public utilities; other; definition of public utility; expand to include private wastewater utility.

Amends sec. 1 of 1972 PA 299 (MCL 460.111).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

## - 43 **-**

## HB 4834 Rep. McConico

Financial institutions; other; regulation and licensing of deferred presentment service providers and transactions; provide for.

Creates new act.

I.E. House, June 29, 2005.

House substitute (H-3).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Senate substitute (S-7).

Refer to Committee of the Whole pursuant to Rule 3.701.

## SCHEDULED MEETINGS

**Commerce and Labor -** Tuesday, September 13, 3:00 p.m., Room 100, Farnum Building (373-2413)

#### SCHEDULED MEETINGS

**Economic Development, Small Business and Regulatory Reform -** Wednesday, September 14, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

**Education -** Thursday, September 15, 2:00 p.m., Room 210, Farnum Building (373-6920)

**Judiciary -** Tuesday, September 13, 2:00 p.m., Room 210, Farnum Building (373-3760)

**Michigan Capitol Committee -** Thursdays, September 15 (CANCELED), and October 6, 12:30 p.m., Rooms 402 and 403, Capitol Building (373-0289)

**Michigan Law Revision Commission -** Wednesday, September 14, 11:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

**Senior Citizens and Veterans Affairs -** Wednesday, September 14, 1:00 p.m., Room 100, Farnum Building (373-1707)

**Technology and Energy -** Wednesday, September 14, 1:00 p.m., Room 210, Farnum Building (373-7350)

**Transportation -** Tuesday, September 13, 1:00 p.m., Room 110, Farnum Building (373-7708)

# BILLS IN CONFERENCE

	Brief Title	Conferees		Report Agreed To	
Bill No.		Senate	House	Senate	House
SB 264	Appropriations; agriculture; department of agriculture; provide for fiscal year 2005-2006.	Brown Jelinek Barcia			
SB 266	Appropriations; community colleges; community and junior colleges; provide for fiscal year 2005-2006.	Jelinek Goschka Switalski			
SB 267	Appropriations; community health; department of community health; provide for fiscal year 2005-2006.	Stamas George Cherry			
SB 268	Appropriations; corrections; department of corrections; provide for fiscal year 2005-2006.	Cropsey Brown Prusi			
SB 269	Appropriations; education; department of education; provide for fiscal year 2005-2006.	Jelinek Cropsey Scott			

# BILLS IN CONFERENCE

		Conferees		Report Agreed To	
Bill No.	Brief Title	Senate	House	Senate	House
SB 270	Appropriations; environmental quality;	McManus			
DB 270	department of environmental quality; provide	Goschka			
	for fiscal year 2005-2006.	Barcia			
SB 271	Appropriations; family independence agency;	Hardiman			
	family independence agency; provide for	George			
	fiscal year 2005-2006.	Scott			
SB 272	Appropriations; general government;	Garcia			
	general government; provide for fiscal year	McManus			
	2005-2006.	Switalski			
SB 273	Appropriations; higher education; higher	Goschka			
	education; provide for fiscal year 2005-2006.	Johnson			
		Cherry			
SB 274	Appropriations; history, arts, and libraries;	George			
	department of history, arts, and libraries;	McManus			
	provide for fiscal year 2005-2006.	Clarke			
SB 275	Appropriations; judiciary; judiciary budget;	Cropsey			
	provide for fiscal year 2005-2006.	Hardiman			
		Switalski			
SB 276	Appropriations; labor and economic growth;	Garcia			
	department of labor and economic growth;	Hardiman			
	provide for fiscal year 2005-2006.	Prusi			
SB 277	Appropriations; military affairs and state	Brown			
	police; department of military and veterans	Stamas			
	affairs; provide for fiscal year 2005-2006.	Clarke			
SB 278	Appropriations; natural resources;	McManus			
	department of natural resources; provide	Johnson			
	for fiscal year 2005-2006.	Prusi			
SB 280	Appropriations; state police; department of	Brown			
	state police; provide for fiscal year	Stamas			
	2005-2006.	Clarke			
SB 281	Appropriations; transportation; state	Johnson			
	transportation department; provide for	Stamas			
	fiscal year 2005-2006.	Barcia			
HB 4831	Appropriations; other; zero budget	Johnson	Hummel		
	appropriations bill; provide for fiscal	Stamas	Pastor		
	years 2005 and 2006.	Prusi	Whitmer		
HB 4887	Appropriations; zero budget; multisection	Jelinek	Moolenaar		
	school aid bill; provide for fiscal year	Cropsey	Farhat		
	2005-2006.	Switalski	Plakas		